

Re: Amendment to First Office Action Reply

Inventor and Applicant: Marvin J. Williams, Jr.

Application No.: 10/747,728

Filing Date: December 29, 2004

Art Unit: 3643

Examiner: Jeffrey L. Gellner

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#### IN THE SPECIFICATION

(1) On the Title Page of the application as originally filed please delete:

This application is a continuation in part of U.S. utility patent application no. 10/683,889 which is a continuation in part of U.S. utility patent application no. 09/752,956, now U.S. Pat. No. 6,631,585 B1.

and insert the following:

This application is a continuation in part of U.S. patent application no. 10/683,889, now abandoned, which was a continuation part of U.S. patent application no. 10/650,485, now abandoned, which was a continuation in part of U.S. patent application no. 09/752,956, now U.S. Pat. No. US 6,631,585 B1.

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(2) Page 48 after "IV. Prior Art of Record" please insert the following:

The pending application in the above captioned case is a continuation in part application of U.S. utility patent application no. 10/683,889['889] (now abandoned) which was a continuation in part of U.S. application no. 10/650,485['485] (now abandoned), which was a continuation in part of U.S. utility patent application no. 09/752,956, now U.S. Pat. No. 6,631, 585 B1['585]. Application '485 was co-pending with '585, '485 was co-pending with '889, and '889 was co-pending with the current application. As a result, '585 is not prior art for the current application, with respect to the original disclosure of '585 within the subsequent continuation in part applications. **Manual of Patent Examination Procedure**, section 201.11 II. (If the prior application is abandoned, the later-filed application must be filed before the abandonment, to establish co-pendency with the prior application)(Eighth Edition, August 2001, Second Rev. May 2004).

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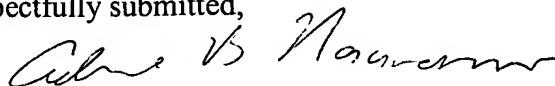
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(3) Page 48-49. Please amend the original paragraph which follows the above new paragraph as follows:

~~(1) U.S. Pat. NO. US 6,631,585 (Marvin J. Williams, Jr.) discloses an intercropping system for corn and soybeans. However~~ Even if patent '585 did not co-pend with '889, patent '585 ~~Williams, Jr.~~ does not disclose modified machinery for: spring seeding corn and soybeans simultaneously; combination mulch, annual combination green manure, or selection and growth conditions for annual green manure plants. Patent No. '585 ~~Williams, Jr.~~ also does not disclose the summer planting of a legume which remains intact in the soil to nourish a subsequent green manure crop.

Respectfully submitted,



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